

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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SHH HOLDINGS, LLC

Plaintiff,

v.

ALLIED WORLD INSURANCE  
COMPANY,

Defendant.

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CASE NO. 1:19-cv-2900

OPINION & ORDER  
[Resolving Doc. 60]

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

In this insurance case, Defendant Allied World has filed an appeal and now moves for the Court's approval of a supersedeas bond in the amount of \$2,450,000 and a stay of the execution of judgment pending resolution of the appeal.

Pursuant to Fed. R. Civ. Pro. 62(b), a party may obtain a stay as a matter of right by providing a bond or other security.<sup>1</sup> "A district court cannot deny the stay itself, but has discretion to fix the amount of the bond or waive the bond requirement."<sup>2</sup>

While Defendant offered calculations supporting its \$2,450,000 bond amount, those calculations did not consider the lost use of the judgment amount during the appeal pendency.

Accordingly, the Court **GRANTS** Defendant's motion to set a supersedeas bond but sets the bond amount at \$2,600,000.

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<sup>1</sup> *Arban v. West Pub. Corp.*, 345 F.3d 390, 409 (6th Cir. 2003). This Court has jurisdiction over this motion. *See Hill v. Burgeon Legal Grp. Co.*, 2020 WL 6746856, at \*1 (D.N.J. Nov. 17, 2020).

<sup>2</sup> *Sofco Erectors, Inc. v. Trustees of Ohio Operating Engineers Pension Fund*, 2021 WL 858728, at \*2 (S.D. Ohio Mar. 8, 2021) (citations omitted).

Case No. 1:19-cv-2900  
GWIN, J.

IT IS SO ORDERED.

Dated: August 22, 2022

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE